HON'BLE MR JUSTICE A. GOPAL REDDY

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WRIT PETITION NO.6297 OF 2006

DATE:31.03.2006

Between:

K.Sri Ranganayakulu

..... PETITIONER

AND

The Revenue Divisional Officer,

Kovvur, West Godavari District &

Two others.

.....RESPONDENTS

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HON'BLE MR JUSTICE A. GOPAL REDDY

W.P. No.6297 OF 2006

ORDER:

Against the orders of the first respondent dated 27.2.2006 in Roc.B.866(A)/2003 cancelling the authorization of the petitioner for distribution of essential commodities, the petitioner filed an appeal before the Joint Collector-second respondent herein along with an application to stay the said orders pending the appeal. Complaining that so far, no orders have been passed even on the stay application, the present writ petition has been filed.

Since the statutory remedy of appeal availed by the petitioner is pending before the Joint Collector-second respondent, the writ for the very same cause, cannot be entertained as held by the Apex Court in **Bombay Metropolitan Region Development Authority, Bombay v. Golak Patel Volkart Ltd.** ((1995) 1 SCC 642). However, having regard to the facts and circumstances of the case, the second respondent is directed to dispose of the appeal or the stay application, as the case may be, in accordance with law as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of at the admission stage itself. No order as to costs.

A. GOPAL REDDY, J

31st MARCH, 2006.

Note: issue C.C. tomorrow.

(B/o)

Tsr